

No. 86

MICHIGAN SENATE

DAILY CALENDAR

THURSDAY, NOVEMBER 9, 2006
10:00 a.m.

MOTIONS

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- 1
- SB 246** Sen. Emerson
School aid; fiscal year appropriations; minimum funding level for K-12 education; provide for.
Amends title & sec. 11 of 1979 PA 94 (MCL 388.1611) & adds secs. 12 & 147a.
Motion to discharge Committee on Appropriations pending.
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- 2
- SB 1242** Sen. Switalski
Torts; product liability; immunity from liability for drugs that have been approved by federal food and drug administration; rescind.
Amends sec. 2946 of 1961 PA 236 (MCL 600.2946).
Motion to discharge Committee on Government Operations pending.

MESSAGES FROM THE GOVERNOR

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- 3
- SB 272** Sen. Switalski
Appropriations; general government; general government; provide for fiscal year 2005-2006.
Creates appropriation act.
Approved by Governor, with line items vetoed, Wednesday, September 28, 2005.
For veto message, see Senate Journal No. 87 of 2005, page 1760.
Vetoed line items pending.
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- 4
- SB 271** Sen. Scott
Appropriations; human services; department of human services; provide for fiscal year 2005-2006.
Creates appropriation act.
Approved by Governor, with line items vetoed, Wednesday, September 28, 2005.
For veto message, see Senate Journal No. 87 of 2005, page 1760.
Vetoed line items pending.
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- 5
- SB 264** Sen. Barcia
Appropriations; agriculture; department of agriculture; provide for fiscal year 2005-2006.
Creates appropriation act.
Approved by Governor, with line items vetoed, Wednesday, September 28, 2005.
For veto message, see Senate Journal No. 87 of 2005, page 1761.
Vetoed line items pending.

MESSAGES FROM THE GOVERNOR

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- 6
- SB 274** Sen. Clarke
Appropriations; history, arts, and libraries; department of history, arts, and libraries; provide for fiscal year 2005-2006.
Creates appropriation act.
Approved by Governor, with line items vetoed, Thursday, September 29, 2005.
For veto message, see Senate Journal No. 87 of 2005, page 1762.
Vetoed line items pending.
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- 7
- SB 281** Sen. Barcia
Appropriations; transportation; state transportation department; provide for fiscal year 2005-2006.
Creates appropriation act.
Approved by Governor, with line items vetoed, Friday, September 30, 2005.
For veto message, see Senate Journal No. 87 of 2005, page 1762.
Vetoed line items pending.
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- 8
- SB 175** Sen. Brown
Economic development; other; tax incentives for distribution and warehousing facilities; provide for.
Amends sec. 2 of 1974 PA 198 (MCL 207.552).
Vetoed by Governor, Thursday, November 17, 2005.
For veto message, see Senate Journal No. 105 of 2005, page 2258.
Veto pending.
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- 9
- SB 236** Sen. Johnson
Appropriations; zero budget; capital outlay; provide for fiscal year 2005-2006 and to make, supplement, and adjust appropriations for certain state departments for fiscal years 2005 and 2006.
Creates appropriation act.
Approved by Governor, with line items vetoed, Monday December 19, 2005.
For veto message, see Senate Journal No. 1, page 5.
Vetoed line items pending.
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- 10
- SB 892** Sen. Hardiman
Human services; employment and training; work first participation requirements; revise.
Amends sec. 57f of 1939 PA 280 (MCL 400.57f) & adds secs. 57s, 57t, 57u & 57v.
Vetoed by Governor, Tuesday, December 27, 2005.
For veto message, see Senate Journal No. 1, page 6.
Veto pending.

MESSAGES FROM THE GOVERNOR

11

SB 893 Sen. Cropsey
Human services; services or financial assistance; sanctions for noncompliance; revise.
Amends 1939 PA 280 (MCL 400.1- 400.119b) by adding secs. 57q & 57r.
Vetoed by Governor, Tuesday, December 27, 2005.
For veto message, see Senate Journal No. 1, page 6.
Veto pending.

12

SB 956 Sen. Stamas
Appropriations; zero budget; supplemental appropriations; provide for fiscal year 2005-2006.
Creates appropriation act.
Approved by Governor, with line item vetoed, Friday, February 3.
For veto message, see Senate Journal No. 10, page 161.
Vetoed line item pending.

13

SB 957 Sen. Cassis
Single business tax; credit; alternative tax rate and percentage reduction in tax liability; revise.
Amends sec. 36 of 1975 PA 228 (MCL 208.36).
Vetoed by Governor, Friday, February 3.
For veto message, see Senate Journal No. 10, page 162.
Veto pending.

14

SB 179 Sen. Stamas
Labor; youth employment; youth employment standards; revise maximum number of hours a minor may work.
Amends sec. 11 of 1978 PA 90 (MCL 409.111).
Vetoed by Governor, Friday, March 3.
For veto message, see Senate Journal No. 22, page 372.
Veto pending.

15

SB 1026 Sen. Hardiman
Administrative procedure; rules; rule or exception to a rule; clarify in regard to the presence or lack of a collective bargaining agreement with employees.
Amends sec. 32 of 1969 PA 306 (MCL 24.232).
Vetoed by Governor, Thursday, March 23.
For veto message, see Senate Journal No. 31, page 565.
Veto pending.

16

SB 1027 Sen. Cropsey
Human services; adult foster care; promulgating rules, or establishing guidelines or policies that grant preferences in licensure to regulated facilities that have collective bargaining agreements with employees; prohibit.
Amends sec. 10 of 1979 PA 218 (MCL 400.710).
Vetoed by Governor, Thursday, March 23.
For veto message, see Senate Journal No. 31, page 565.
Veto pending.

MESSAGES FROM THE GOVERNOR

17

SB 1028 Sen. Sanborn
Human services; other; promulgating rules, or establishing guidelines or policies that grant preferences in licensure to regulated facilities that have collective bargaining agreements with employees; prohibit.
Amends secs. 1 & 6 of 1939 PA 280 (MCL 400.1 & 400.6).
Vetoed by Governor, Thursday, March 23.
For veto message, see Senate Journal No. 31, page 565.
Veto pending.

18

SB 372 Sen. Toy
Local government; public services; certain city managed water and sewer systems; provide for regionalization of.
Creates new act.
Vetoed by Governor, Friday, March 31.
For veto message, see Senate Journal No. 34, page 701.
Veto pending.

19

SB 973 Sen. Hammerstrom
Elections; election officials; state board of canvassers and director of elections; revise duties concerning ballot question language.
Amends sec. 32 of 1954 PA 116 (MCL 168.32) & repeals sec. 22e of 1954 PA 116 (MCL 168.22e).
Vetoed by Governor, Friday, May 12.
For veto message, see Senate Journal No. 46, page 981.
Veto pending.

20

SB 974 Sen. Kuipers
Elections; election officials; state board of canvassers and director of elections; revise duties concerning ballot question petitions.
Amends sec. 474 of 1954 PA 116 (MCL 168.474).
Vetoed by Governor, Friday, May 12.
For veto message, see Senate Journal No. 46, page 981.
Veto pending.

21

SB 975 Sen. Bishop
Elections; election officials; state board of canvassers and director of elections; revise duties concerning ballot questions.
Amends sec. 474a of 1954 PA 116 (MCL 168.474a).
Vetoed by Governor, Friday, May 12.
For veto message, see Senate Journal No. 46, page 981.
Veto pending.

MESSAGES FROM THE GOVERNOR

22

SB 976 Sen. Cropsey

Elections; election officials; state board of canvassers and director of elections; revise duties concerning ballot question petitions.

Amends sec. 476 of 1954 PA 116 (MCL 168.476).

Vetoed by Governor, Friday, May 12.

For veto message, see Senate Journal No. 46, page 981.

Veto pending.

23

SB 242 Sen. Johnson

Appropriations; zero budget; supplemental appropriations; provide for fiscal year 2004-2005.

Creates appropriation act.

Approved by Governor, with line items vetoed, Thursday, May 25.

For veto message, see Senate Journal No. 52, page 1138.

Vetoed line items pending.

24

SB 297 Sen. Cropsey

Vehicles; motorcycles; requirement of wearing crash helmets; provide exceptions under certain circumstances.

Amends sec. 658 of 1949 PA 300 (MCL 257.658).

Vetoed by Governor, Friday, June 23.

For veto message, see Senate Journal No. 64, page 1446.

Veto pending.

25

SB 1085 Sen. Scott

Appropriations; education; department of education; provide for fiscal year 2006-2007.

Creates appropriation act.

Approved by Governor, with line items vetoed, Thursday, August 10.

For veto message, see Senate Journal No. 77, page 1989.

Vetoed line items pending.

26

SB 1086 Sen. Barcia

Appropriations; environmental quality; department of environmental quality; provide for fiscal year 2006-2007.

Creates appropriation act.

Approved by Governor, with line items vetoed, Tuesday, August 15.

For veto message, see Senate Journal No. 77, page 1990.

Vetoed line items pending.

27

SB 1094 Sen. Barcia

Appropriations; natural resources; department of natural resources; provide for fiscal year 2006-2007.

Creates appropriation act.

Approved by Governor, with line items vetoed, Tuesday, August 15.

For veto message, see Senate Journal No. 77, page 1990.

Vetoed line items pending.

MESSAGES FROM THE HOUSE

28

SB 640 Sen. Thomas

Income tax; other; individual or family development account program; create.

Creates new act.

I.E. House, July 26, 2006.

Returned from House with amendments, Wednesday, August 9; laid over under the rules.

For House amendments, see Senate Journal No. 73, page 1929.

Committee recommended I.E.

THIRD READING OF BILLS

29

SB 337 Sen. Allen

Single business tax; credit; tax credit for historical buildings; create and limit issuance of.

Amends 1975 PA 228 (MCL 208.1 - 208.145) by adding sec. 35c.

Reported by Committee on Commerce and Labor.

Senate substitute (S-2).

Committee recommended I.E.

30

HB 4849 Rep. Schuitmaker

Occupations; real estate; real estate broker responsibilities under exclusive service provision agreements; clarify.

Amends sec. 2512 of 1980 PA 299 (MCL 339.2512) & adds sec. 2512d.

I.E. House, October 5, 2005.

House substitute (H-1).

Reported by Committee on Economic Development, Small Business and Regulatory Reform.

Committee recommended I.E.

31

HB 4850 Rep. Green

Occupations; real estate; real estate broker responsibilities under an exclusive service provision agreement; provide as part of agency disclosure.

Amends sec. 2517 of 1980 PA 299 (MCL 339.2517).

I.E. House, October 5, 2005.

House substitute (H-1).

Reported by Committee on Economic Development, Small Business and Regulatory Reform.

Committee recommended I.E.

32

SB 891 Sen. Hardiman

Family law; child support; collection duties for certain state departments; establish.

Amends title & secs. 1, 3, 13 & 28 of 1941 PA 122 (MCL 205.1 et seq.) & repeals 1927 PA 375 (MCL 14.131 - 14.134).

Reported by Committee on Families and Human Services.

Senate substitute (S-2).

Committee recommended I.E.

GENERAL ORDERS

33

SB 196 Sen. Jelinek

Legislature; legislators; legislator to substitute teach in public schools without pay; allow.

Amends secs. 1230, 1230a & 1233 of 1976 PA 451 (MCL 380.1230 et seq.).

Reported by Committee on Education.

Senate substitute (S-1).

Committee recommended I.E.

34

HB 4481 Rep. Gaffney

Elections; voting procedures; certain restrictions on requests for registration or absentee ballots; revise.

Amends sec. 759a of 1954 PA 116 (MCL 168.759a) & repeals sec. 504 of 1954 PA 116 (MCL 168.504).

I.E. House, April 19, 2005.

House substitute (H-1).

Reported by Committee on Government Operations.

Senate substitute (S-1).

Committee recommended I.E.

35

SB 183 Sen. McManus

Vehicles; equipment; use of child safety restraint system or booster seat for certain children; require.

Amends sec. 710e of 1949 PA 300 (MCL 257.710e).

Reported by Committee on Transportation.

Senate substitute (S-1).

Committee recommended I.E.

36

SB 262 Sen. George

Vehicles; equipment; waiver of fines for certain child car restraint system violations; provide for under certain circumstances.

Amends sec. 907 of 1949 PA 300 (MCL 257.907).

Reported by Committee on Transportation.

Committee recommended I.E.

37

SB 314 Sen. Hammerstrom

Vehicles; equipment; child restraint safety seat; require to be in rear seat if vehicle has rear seat and remove nursing child exemption.

Amends sec. 710d of 1949 PA 300 (MCL 257.710d).

Reported by Committee on Transportation.

Committee recommended I.E.

38

SB 491 Sen. Kuipers

Traffic control; violations; penalties for failure to properly restrain a child less than 16 years of age in a vehicle; increase for second or subsequent violations.

Amends sec. 907 of 1949 PA 300 (MCL 257.907).

Reported by Committee on Transportation.

Senate substitute (S-1).

Committee recommended I.E.

GENERAL ORDERS

39

SB 1041 Sen. Birkholz

Vehicles; equipment; use of rear seat child safety restraint system for children 12 and under; require under certain circumstances.

Amends sec. 710e of 1949 PA 300 (MCL 257.710e).

Reported by Committee on Transportation.

Committee recommended I.E.

40

SB 1189 Sen. Goschka

State; bonds; bond cap in the state building authority; increase.

Amends sec. 8 of 1964 PA 183 (MCL 830.418).

Reported by Committee on Appropriations.

Committee recommended I.E.

41

SB 229 Sen. Hammerstrom

Insurance; health care corporations; coverage for certain mental health and substance abuse treatment; provide that coverage cannot be more restrictive than coverage for medical treatment.

Amends 1980 PA 350 (MCL 550.1101 - 550.1704) by adding sec. 416e.

Reported by Committee on Health Policy.

Senate substitute (S-1).

Committee recommended I.E.

42

SB 230 Sen. Hammerstrom

Insurance; health; coverage for certain mental health and substance abuse treatment; provide that coverage cannot be more restrictive than coverage for medical treatment.

Amends 1956 PA 218 (MCL 500.100 - 500.8302) by adding sec. 3406s.

Reported by Committee on Health Policy.

Senate substitute (S-1).

Committee recommended I.E.

43

SB 382 Sen. Bishop

Income tax; credit; donation to educational foundations and certain other educational organizations; provide for credit.

Amends sec. 260 of 1967 PA 281 (MCL 206.260).

Reported by Committee on Finance.

Committee recommended I.E.

44

SB 1393 Sen. Hardiman

Single business tax; credit; technical amendments; coordinate programs with individual or family development account program act.

Amends sec. 57k of 1939 PA 280 (MCL 400.57k).

Reported by Committee on Banking and Financial Institutions.

Senate substitute (S-1).

Committee recommended I.E.

GENERAL ORDERS

45

HB 5022 Rep. Robertson
Income tax; credit; individual or family development accounts; provide credits and deductions for contributions.

Amends sec. 30 of 1967 PA 281 (MCL 206.30) & adds sec. 272.

I.E. House, July 26, 2006.

House substitute (H-1).

Reported by Committee on Banking and Financial Institutions.

Senate substitute (S-1).

Committee recommended I.E.

46

HB 5633 Rep. Hoogendyk
State; symbol; English; establish as the official state language. Creates new act.

House substitute (H-2).

Reported by Committee on Local, Urban and State Affairs.

Committee recommended I.E.

47

HB 5021 Rep. Green
Single business tax; credit; credits and deductions for contributions to individual development accounts; allow.

Amends sec. 9 of 1975 PA 228 (MCL 208.9) & adds sec. 35e.

I.E. House, July 26, 2006.

House substitute (H-2).

Reported by Committee on Banking and Financial Institutions.

Senate substitute (S-2).

Committee recommended I.E.

48

SB 1350 Sen. Cropsey
Elections; election officials; recommendation of the director of elections concerning sufficiency or insufficiency of a ballot question petition; provide that the recommendation is approved unless disapproved by the board of state canvassers.

Amends sec. 476 of 1954 PA 116 (MCL 168.476).

Reported by Committee on Judiciary.

Committee recommended I.E.

49

SB 1351 Sen. Cropsey
Elections; election officials; recommendation of the director of elections concerning sufficiency or insufficiency of a nominating petition; provide that the recommendation is approved unless disapproved by the board of state canvassers.

Amends sec. 552 of 1954 PA 116 (MCL 168.552).

Reported by Committee on Judiciary.

Committee recommended I.E.

50

SB 1352 Sen. Cropsey
Elections; election officials; recommendation of the director of elections concerning sufficiency or insufficiency of a qualifying petition; provide that the recommendation is approved unless disapproved by the board of state canvassers.

Amends sec. 590f of 1954 PA 116 (MCL 168.590f).

Reported by Committee on Judiciary.

Committee recommended I.E.

GENERAL ORDERS

51

SB 1360 Sen. Cassis
Economic development; other; issuance of pension obligation and other actuarially based obligation bonds; allow.

Amends sec. 103 of 2001 PA 34 (MCL 141.2103) & adds secs. 518 & 519.

Committee on Finance discharged, Thursday, September 14.

52

SB 1425 Sen. Hammerstrom
Health; occupations; licensure of certain individuals under certain circumstances if there are pending out-of-state sanctions; provide for.

Amends secs. 16174, 17011 & 17511 of 1978 PA 368 (MCL 333.16174 et seq.).

Reported by Committee on Health Policy.

Senate substitute (S-1).

Committee recommended I.E.

53

SB 162 Sen. Jacobs
Liquor; licenses; redevelopment project area liquor license; create and substitute for development district license. Amends 1998 PA 58 (MCL 436.1101 - 436.2303) by adding sec. 521a.

Reported by Committee on Economic Development, Small Business and Regulatory Reform.

Senate substitute (S-1).

Committee recommended I.E.

54

SB 163 Sen. Allen
Liquor; licenses; redevelopment project area liquor licenses; create and issue within certain cities. Amends sec. 521 of 1998 PA 58 (MCL 436.1521).

Reported by Committee on Economic Development, Small Business and Regulatory Reform.

Committee recommended I.E.

55

HB 6173 Rep. Taub
Education; employees; provisions concerning background checks and revocation of teaching certificates; revise.

Amends secs. 1230, 1230a, 1230c, 1230d, 1230g, 1535a & 1539b of 1976 PA 451 (MCL 380.1230 et seq.) & adds sec. 1230e.

I.E. House, June 29, 2006.

House substitute (H-1).

Reported by Committee on Education.

Senate substitute (S-1).

Committee recommended I.E.

56

HB 6174 Rep. Schuitmaker
Children; child care; criminal history checks and criminal records checks for child care providers; require to be performed only 1 time if provider remains continuously licensed and require to follow school code procedures if child care service is operated within a school.

Amends secs. 5, 5c & 5f of 1973 PA 116 (MCL 722.115 et seq.).

I.E. House, June 29, 2006.

House substitute (H-1).

Reported by Committee on Education.

Committee recommended I.E.

GENERAL ORDERS

57

HB 6009 Rep. Elsenheimer

Crimes; drunk driving; third or subsequent drunk driving or drug driving conviction regardless of the number of years elapsed since prior conviction; increase penalties.

Amends sec. 625 of 1949 PA 300 (MCL 257.625).

House substitute (H-1).

Reported by Committee on Judiciary.

Senate substitute (S-2).

Committee recommended I.E.

58

SB 1241 Sen. Allen

State agencies (existing); state; maintenance of certain records of conviction for the life of the person; require.

Amends sec. 208 of 1949 PA 300 (MCL 257.208).

Reported by Committee on Judiciary.

Senate substitute (S-1).

Committee recommended I.E.

59

SB 1404 Sen. Goschka

Crimes; penalties; penalties for harassing, interfering with, or injuring law enforcement or search and rescue animal; increase.

Amends secs. 50c & 81d of 1931 PA 328 (MCL 750.50c & 750.81d).

Reported by Committee on Judiciary.

Senate substitute (S-1).

Committee recommended I.E.

60

SB 1405 Sen. Goschka

Criminal procedure; sentencing guidelines; sentencing guidelines for certain crimes relating to search and rescue operations; enact.

Amends sec. 16b, ch. XVII of 1927 PA 175 (MCL 777.16b).

Reported by Committee on Judiciary.

Senate substitute (S-1).

Committee recommended I.E.

RESOLUTIONS

61

SR 71 Sen. Schauer

A resolution to memorialize the President and the Congress of the United States to increase funding for home heating assistance to cope with the rise in natural gas costs expected this winter.

Reported by Committee on Technology and Energy.

For text of resolution, see Senate Journal No. 90 of 2005, page 1932.

Adoption pending.

COMMITTEE REPORTS

62

SB 1428 Sen. Cropsey

Courts; other; drug treatment courts; allow defendants to attend drug treatment courts in other jurisdictions and revise mandatory requirements for drug treatment courts.

Amends secs. 1060 & 1062 of 1961 PA 236 (MCL 600.1060 & 600.1062).

Reported by Committee on Judiciary.

Senate substitute (S-1).

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

63

SR 162 Sen. Hammerstrom

A resolution to memorialize Congress to increase funding to fully implement the Vaccine for Children program.

Reported by Committee on Health Policy.

For text of resolution, see Senate Journal No. 84, page 2160.

Refer to Resolutions pursuant to Rule 3.106.

64

SB 1274 Sen. Jacobs

Health facilities; emergency medical services; automatic external defibrillators in life support vehicles; require.

Amends secs. 20906, 20910 & 20919 of 1978 PA 368 (MCL 333.20906 et seq.) & adds sec. 20911.

Reported by Committee on Health Policy.

Senate substitute (S-2).

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

65

SB 924 Sen. McManus

Natural resources; other; replacement of annual state park permit or ORV license; provide for.

Amends secs. 74117 & 81116 of 1994 PA 451 (MCL 324.74117 & 324.81116).

Reported by Committee on Natural Resources and Environmental Affairs.

Senate substitute (S-2).

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

SCHEDULED MEETINGS

Transportation - Tuesday, November 14, 1:00 p.m., Room 110, Farnum Building (373-7708)

BILLS IN CONFERENCE

Bill No.	Brief Title	Conferees		Report Agreed To	
		Senate	House	Senate	House
SB 1080	Appropriations; agriculture; department of agriculture; provide for fiscal year 2006-2007.	Brown Jelinek Barcia	Hansen (C) Walker Brown		
SB 1087	Appropriations; general government; general government; provide for fiscal year 2006-2007.	Garcia McManus Switalski	Acciavatti (C) Taub Gonzales		
SB 1089	Appropriations; history, arts, and libraries; department of history, arts, and libraries; provide for fiscal year 2006-2007.	George McManus Clarke	Amos (C) Taub Cheeks		
SB 1090	Appropriations; human services; department of human services; provide for fiscal year 2006-2007.	Hardiman Cropsey Scott	Shaffer (C) Kahn Kolb		
SB 1091	Appropriations; judiciary; judiciary budget; provide for fiscal year 2006-2007.	Cropsey Hardiman Prusi	Steil (C) Stewart Cushingberry		
SB 1092	Appropriations; labor and economic growth; department of labor and economic growth; provide for fiscal year 2006-2007.	Garcia George Prusi	Brandenburg (C) Amos Kolb		
SB 1093	Appropriations; military affairs and state police; department of military and veterans affairs; provide for fiscal year 2006-2007.	Brown Stamas Clarke	Caul (C) Walker Sak		
SB 1096	Appropriations; state police; department of state police; provide for fiscal year 2006-2007.	Brown Stamas Clarke	Caul (C) Walker Sak		
SB 1097	Appropriations; transportation; state transportation department; provide for fiscal year 2006-2007.	Johnson Stamas Prusi	Taub (C) Acciavatti Hood		
HB 4315	Counties; boards and commissions; county road commission; provide option to expand membership or eliminate.	Gilbert Kuipers Basham	LaJoy Hoogendyk Anderson		
HB 5453	Natural resources; forests; timber harvests on state forestlands; restrict only if provided by state or federal law.	Van Woerkom Gilbert Brater	Casperson Hildenbrand Sheltrown		
HB 5786	Appropriations; zero budget; Michigan strategic fund; provide for fiscal year 2006-2007.	Garcia McManus Switalski	Brandenburg Amos Kolb		
HB 5789	Appropriations; zero budget; multisection school aid bill; provide for fiscal year 2006-2007.		Moolenaar Farhat Plakas		